



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,346	10/19/2001	Xiaobao Chen	2100.025100/Chan 4	2164
46290	7590	09/21/2006	EXAMINER	
WILLIAMS, MORGAN & AMERSON 10333 RICHMOND, SUITE 1100 HOUSTON, TX 77042			REILLY, SEAN M	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 09/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/030,346	Applicant(s) CHEN	
	Examiner Sean Reilly	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**. DETAILED ACTION**

Another Examiner has been assigned to this application.

This Office action is in response to Applicant's amendment and request for reconsideration filed on May 5, 2006. Claims 1-14 are presented for further examination. None of the claims have been amended. Applicant arguments have been noted however they are moot in view of the new grounds of rejection set forth. This action is made **NON-FINAL**.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**1. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Talukdar et al.**

**(MRSVP : A Resource Reservation Protocol for an Integrated Services Network with Mobile Hosts; hereinafter Talukdar).**

With regard to claims 1 and 9, Talukdar disclosed a method of establishing an Internet Protocol (IP) quality of service session between a correspondent node and a mobile node, the mobile node having a home address in a home network and being temporarily connectable in a foreign network having a foreign agent associated with at least one further mobile node, wherein IP packets are directed to the mobile node from the correspondent node via the home network,

Art Unit: 2153

the quality of server session being maintained in dependence on flow identification information in the IP packets (i.e. the use of RSVP in a mobile-IP environment, see at least the discussion on pg 7 of Talukdar), the method comprising:

- Determining whether the flow identification information of a quality of service session to be configured (i.e. a passive flow) matches the flow identification information of an existing quality of service session (i.e. an active flow) (e.g. when a mobile node moves to a new location during registration and de-registration the system determines that the previous active flow is to include a passive flow so that the mobile node can communicate using the previous QoS session at the new location, see inter alia Talukdar pg 18 section 8.7); and
- Responsive to a match, allocating temporary flow identification information to the quality of service session to be configured (e.g. generating the required flow specifications for merging the active flow with the passive flow, see inter alia Talukdar pg 17, section 8.6).

With regard to claim 2, Talukdar disclosed the temporary flow identification information is allocated between the home network and the foreign network (i.e. the flow is allocated between the sender, home agent and any foreign agents in order to form a complete QoS session between the sender and the mobile node, see for instance the example described in Figure 6, pg 14).

With regard to claims 3, 10, and 12, Talukdar disclosed the steps of determining a match and allocating temporary flow identification information are carried out in the foreign network

Art Unit: 2153

(e.g. the registration and de-registration occurs with proxy agents which will typically reside in foreign networks, see inter alia Talukdar pg 18 section 8.7).

With regard to claim 4, Talukdar disclosed the temporary flow identification information is notified to the home network by the foreign network (e.g. flow specification information is forwarded upstream, see inter alia Talukdar pg 17, section 8.6).

With regard to claims 5 and 6, Talukdar disclosed the flow identification information comprises an identification of an application provided at the mobile node, wherein the step of allocating temporary flow identification information comprises allocating a temporary identification of the application and wherein the application is identified by a port number (i.e. the flow specification for a particular merged flow includes the mobile destination application port number, see sections 8.5 and 8.6; in addition such port information is a requirement of RSVP).

With regard to claim 7, Talukdar disclosed the quality of service session is a RSVP session (Talukdar pg 9 section 8).

With regard to claims 8 and 13, Talukdar disclosed the temporary flow identification information is submitted in the home network and replaced at the foreign agent (e.g. the information for a new merged flow is updated throughout the entire QoS path, see inter alia Talukdar pg 17, section 8.6).

With regard to claim 11, Talukdar disclosed means to determine whether the flow identification information of a quality of service session between one of the mobile nodes and a correspondent node matches the flow identification information of quality of service session between one of the other of the mobile nodes and a correspondent node (e.g. a plurality of mobile nodes are present and Talukdar's mobile RSVP scheme properly routes data for each QoS session).

With regard to claim 14, Talukdar disclosed the foreign agent is adapted to remove the substituted flow identification information (e.g. an active flow is made passive see section 8.7 or a flow undergoes flow teardown down, section 8.9)

### *Conclusion*

2. The prior art made of record, in PTO-892 form, and not relied upon is considered pertinent to applicant's disclosure.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Reilly whose telephone number is 571-272-4228. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2153

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 12, 2006



GLENTON B. BURGESS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100